

SPECIAL SESSION

OCTOBER 22, 2014

The City Council of the City of Athens met in Special Session on Wednesday, October 22, 2014, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Monte Montgomery, Mayor Pro-Tem  
Charles Elliott  
Tres Winn

Pam Burton, City Administrator  
Bonnie Hambrick, City Secretary  
Conor Bateman, City Attorney

others present: Haven Cox, David Hopkins, Gary Crecelius, John McQueary, Sherri Skeeters, Glen Herriage, Rich Flowers, Toni Thompson, Pastor Jackie Coleman, Daryl Graham, Tyler Hendrickson, Alecia Sims and other interested citizens;

with the following member absent: Joe Whatley;

constituting a quorum at which time the following proceedings were enacted, to-wit:

The invocation was given by Monte Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Gary Crecelius, Director of Planning & Development, updated on the following:

- 1) Seafood Restaurant, 300 North Pinkerton, progressing toward and end date
- 2) New home, 408 Timber Hills, framing completed
- 3) New Home, 616 Timber Hills, painting and sheetrock
- 4) New Home, Crestway, electrical and pool finishing
- 5) Liberty Tax, waiting on final
- 6) Bacon Chevrolet, extensive remodel
- 7) Cotton Patch, 1413 East Tyler, sheetrock on inside
- 8) Steritic Project, 1705 Enterprise Street, roof addition
- 9) Cowboy Church, 902 North East Loop 7, mechanicals, sheetrock
- 10) Athens High School, East College, awaiting plans for renovation and additions
- 11) Middle School, Madole, awaiting plans for renovation and additions
- 12) Catholic Church, East Tyler and Coleman, replat and site plan scheduled for November, estimated cost of \$5-\$6 Million

B) STATUS REPORT ON ZONING BOARD OF ADJUSTMENTS

Mr. Crecelius explained that the Zoning Board of Adjustments approved an 8 ft. building setback line variance on October 14, 2014 for Vicky Cole (located at 626 Lakeside Dr. Lot 4C, Block 72, Athens Original Town) to build a 10 x 12 bedroom with the stipulation that the storage building maintains 6 ft. separation from the main structure.

## FINANCIAL REPORT

David Hopkins, Director of Finance presented the August financials, and updated Council on Hotel/Motel Tax collections.

### HEAR/DISCUSS ARISING CONCERNS IN THE BLACK COMMUNITY, AS REQUESTED BY JEFFERY ENOCH

Jeffrey Enoch explained his request was to ask the City of Athens to issue a public apology to Jessica Rodgers for the excessive use of power during her arrest for misdemeanor charges.

Mr. Enoch asked the Mayor, Councilmembers and City Administrator, was that excessive use of force for a mother with three children in the automobile?

Mayor Vaught explained that the officer was within all his rights in his capacity as a law enforcement officer. The Mayor further explained that the officer never used any vulgar language, and he was not disrespectful to Ms. Rodgers, as she was to him.

Pam Burton, City Administrator, explained that the officer followed protocol and training.

Councilmember Montgomery, explained the officer was very calm and polite; and the police officer did what he should.

Councilmember Winn explained he watched the video that was approximately 27 minutes long. He stated it was unfortunate they had to take her to the ground; however he feels the officer did follow protocol.

Councilmember Elliott explained it was bad the kids had to see the incident. He also stated that if he were to be stopped by a policeman, he would follow the officer's orders.

Mr. Enoch asked Mayor Vaught if the City would apologize for the use of excess force that occurred in the arrest of Ms. Rodgers.

Mayor Vaught explained the consensus is an apology is not necessary.

### DISCUSS ITEMS FOR FUTURE AGENDAS A) DISCUSS AUTHORIZING WATER AND WASTEWATER RATE STUDY

City Administrator, Pam Burton explained that there was the need to move forward with a rate study as discussed during the budget meetings.

David Hopkins, Director of Finance explained that Thomas Graves with Willis, Graves & Associate who previously performed the City's Rate Study has retired. Mr. Graves referred the City to GDS Associates, Inc.

Mr. Hopkins explained he wanted to compare prices of the firms and their qualifications. He explained GDS Associates, Inc. cost was \$19,500 not to exceed \$22,000  
Mr. Hopkins explained that NewGen Strategies quote was not to exceed \$25 000 and they have extensive experience in the area.

Councilmember Montgomery explained the City should move forward, as it is needed.

After discussion this item will appear on the agenda Monday, October 27, 2014.

**B) DISCUSS AUTHORIZING CONTRACT WITH ALPHA-LEE ENTERPRISES, INC. FOR JULY 4, 2015 FIREWORKS DISPLAY, AND DISCUSS AUTHORIZING FUNDING**

City Administrator, Pam Burton explained that this Contract is for the Annual July 4<sup>th</sup> Fireworks Display. The City works with a KAB Committee in their soliciting of donations for fireworks. The City contributes \$2,000 if needed. The total contract price is \$11,250, and the City is responsible for the full funding should there be a shortfall in donations. The item will appear on the agenda Monday.

**C) DISCUSS CREATING PLAT OF TRACT 118A C.M. WALTERS SURVEY, OWNED BY MERRILL JENSEN**

Gary Crecelius, Director of Planning & Development, explained the property was never platted, and therefore creating the plat was necessary for the lot to be established. He explained the property meets all the requirements for the present zoning it is in and the Zoning Commission approved the rezone on October 21, 2014. The item will appear on the agenda Monday.

**D) DISCUSS PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CONCERNING THE REZONING OF TRACT 118A C.M. WALTERS SURVEY, FROM AGRICULTURE TO INDUSTRIAL, OWNED BY MERRILL JENSEN ( 2680 HWY 31 WEST)**

Gary Crecelius, Director of Planning & Development, explained that the property was purchased by Mr. Jensen for future development and the construction of a 60 x 100 ft. building to make Vessels used in the Petroleum Industry. He stated four (4) surrounding property owners were notified, no responses were received and the Zoning Commission approved the rezone on October 21, 2014. The item will appear on the agenda Monday.

**E) DISCUSS PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CONCERNING THE REZONING AND SITE PLAN AMENDMENT OF LOT 15C, J.B. ATWOOD SURVEY FROM COMMERCIAL PLANNED DEVELOPMENT -2 TO COMMERCIAL PLANNED DEVELOPMENT-2 SPECIFIC USE PROVISION, OWNED BY JOHN H. BROWN (601 N.E. LOOP 7).**

Gary Crecelius, Director of Planning & Development, explained this property is located on the North Loop and has been vacant for 1 ½ years. The property is being rezoned to allow for a Commercial Wrecker Operation Impound Facility, with a six (6) foot tall screen fence on front of building. One (1) surrounding property owner being notified and no responses were received and the Zoning Commission approved the rezone on 10/21/14. The item will appear on the agenda Monday.

**F) DISCUSS AUTHORIZING STAFF TO ADVERTISE FOR (1) CURRENT PRODUCTION MODEL CHEVROLET TAHOE FOR USE IN THE CITY'S FIRE DEPARTMENT AND (2) CURRENT PRODUCTION MODEL ½ TON PICK-UPS FOR USE IN THE CITY'S PUBLIC HEALTH AND SAFETY DEPARTMENT AND LINE MAINTENANCE DEPARTMENT**

City Administrator, Pam Burton explained Staff is requesting authorization to advertise for bids for (1) current production model Chevrolet Tahoe for use in the City's Fire Department and (2) current production model ½ ton pick-ups for use in the City's Public Health and Safety Department and Line Maintenance Department.

Councilmember Elliot explained the specifications should be written as “New-Non Used Vehicle”, as this will save the City money.

After discussion, the item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;  
A) DISCUSS APPROVING MINUTES

This item will appear on the Consent Agenda

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN  
RELATING TO THE CITY OF ATHENS

1. Toni Thompson, 718 Ruth Street, Athens, expressed concern of her arrest for disorderly conduct.
2. Alecia Sims, 1001 North Hamlett, Athens, expressed concern of the District Attorney and Detectives involved in her report of sexual molestation against her son.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 10<sup>TH</sup> DAY OF NOVEMBER, 2014.

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Jerry D. Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary